

REMARKS / ARGUMENTS

Claims 1, 3, 6, and 8 have been amended, and Claims 1-10 are pending. Applicants have carefully considered the application in view of the Examiner's action and, in light of the foregoing amendments and the following remarks, respectfully requests reconsideration and full allowance of all pending claims.

Claims 1, 3, 4, and 6-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2001/0018345 to Longoni et al. (hereinafter "*Longoni*") in view of TSG-RAN Working Group 2 – TSGR#2(99)181 (hereinafter "*TSGR*"). Claims 2, 5, and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Longoni* in view of *TSGR* and further in view of well known prior art (MPEP 2144.03). In response, Applicants have amended independent Claims 1, 3, 6, and 8 such that they now more clearly distinguish, and are patentable over the cited references.

Specifically, and in addition to the Remarks and Arguments set forth in the response dated November 16, 2007, independent Claims 1, 3, 6, and 8 have been amended to more particularly point out and distinctly claim one of the distinguishing characteristics of the present invention, namely, that a reconfiguration command is received from the communications system, as supported throughout the specification, such as Figs. 6-9 and related text at paragraphs [0028] through [0040], thereby adding no new matter to the application. Claims 6 and 8 have also been amended to clarify that the claimed features constitute a portion of the user equipment, and not the communication system, as supported by Fig. 17, thereby adding no new matter to the application.

Longoni has been cited as fully disclosing Applicants' invention as recited in Claims 1, 3, 4, and 6-9, except merely for the teaching of the step of delaying initiation of the cell update until the reconfiguration has been applied, for which *TSGR* was cited. The pertinent section of the *TSGR* document cited by the Examiner states:

The cell update procedure is used by the UE to inform the UTRAN that the UE has switched to a new cell. The procedure is a forward handover procedure. Normally the [cell update] procedure is triggered after change of cell and after UE has read information broadcast by UTRAN.

According to this section of the *TSGR* document, a cell update “procedure” is triggered after a change of cell. In contrast, Applicants recite in independent Claims 1, 3, 6, and 8 that a cell update procedure is initiated after a reconfiguration is applied.

The Examiner essentially argues that a change of cell is a reconfiguration process and that waiting for a reconfiguration process to complete is inherent in a cell update procedure. However, Applicants specifically recite a reconfiguration command from the communications system, the reconfiguration command including an activation time. According to paragraph [0005] of Applicants’ specification which references 3GPP TS 25.331 (reproduced in pertinent portion in Appendix A), such a reconfiguration command would constitute a reconfiguration procedure which is well known in the art to have a particular meaning, quite different from a generic reconfiguration process taught in the prior art. It is respectfully submitted that a reconfiguration process, described in the prior art as comprising many smaller processes that are completed prior to a cell update, are not a “reconfiguration procedure” as that term is used in 3GPP TS 25.331 and as claimed by Applicants.

In view of the foregoing, it is apparent that none of the cited references, either singularly or in any combination, teach, suggest, or render obvious the unique combination now recited in independent Claims 1, 3, 6, and 8 that initiation of a cell update is delayed until a reconfiguration has been applied. It is therefore respectfully submitted that Claims 1, 3, 6, and 8 clearly and precisely distinguish over the cited combinations of references in a patentable sense, and are therefore allowable over those references and the remaining references of record. Accordingly, it is respectfully requested that the rejection of Claims 1, 3, 6, and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Longoni* in view of *TSGR* be withdrawn.

Claims 2, 4, 5, 7, 9, and 10 depend from and further limit independent Claims 1, 3, 6, and 8, in a patentable sense, and, for this reason and the reasons set forth above, are also deemed to be in condition for allowance. Accordingly, it is respectfully requested that the rejection of dependent Claims 2, 4, 5, 7, 9, and 10 be withdrawn, as well.

Applicants have reviewed the prior art made of record and not relied on, and has concluded that this art does not prejudice the patentability of the invention as defined by the

present claims. For this reason and the reason that they have not been applied against Applicants' claims, no further discussion of them is deemed necessary.

Applicants do not believe any fees are due in connection with the filing of this paper; however, in the event that any other fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper, to Deposit Account No. 50-2032 of Scheef & Stone, L.L.P.

Applicants have now made an earnest attempt to place this application in condition for allowance. Therefore, Applicants respectfully request, for the reasons set forth herein and for other reasons clearly apparent, full allowance of Claims 1-10 so that the application may be passed to issue.

Should the Examiner have any questions or desire clarification of any sort, or deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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APPENDIX A

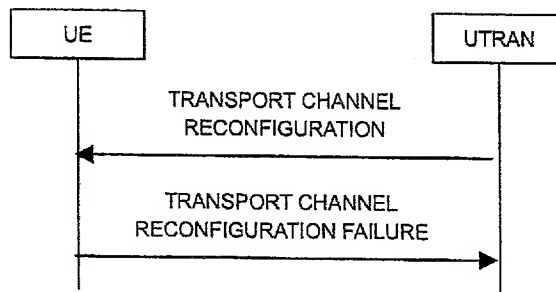


Figure 8.2.2-8: Transport channel reconfiguration, failure case

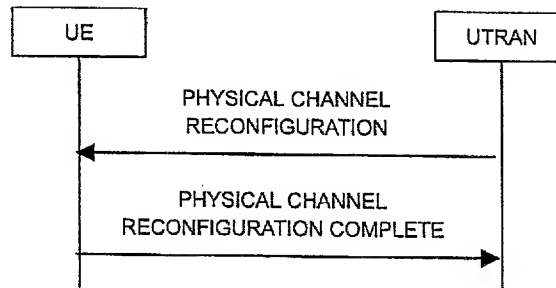


Figure 8.2.2-9: Physical channel reconfiguration, normal flow

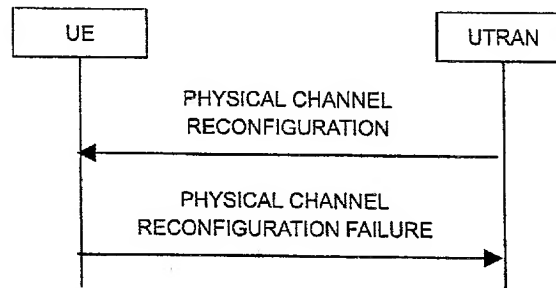


Figure 8.2.2-10: Physical channel reconfiguration, failure case

8.2.2.1 General

Reconfiguration procedures include the following procedures:

- the radio bearer establishment procedure;
- radio bearer reconfiguration procedure;
- the radio bearer release procedure;
- the transport channel reconfiguration procedure; and
- the physical channel reconfiguration procedure.

The radio bearer establishment procedure is used to establish new radio bearer(s).

The radio bearer reconfiguration procedure is used to reconfigure parameters for a radio bearer.

The radio bearer release procedure is used to release radio bearer(s).

The transport channel reconfiguration procedure is used to reconfigure transport channel parameters.

The physical channel reconfiguration procedure is used to establish, reconfigure and release physical channels.

While performing any of the above procedures, these procedures may perform a hard handover (subclause 8.3.5) and/or an HS-DSCH cell change. The reconfiguration procedures are also used to change the feedback configuration for HS-DSCH.

8.2.2.2 Initiation

To initiate any one of the reconfiguration procedures, UTRAN should:

- 1> configure new radio links in any new physical channel configuration;
- 1> start transmission and reception on the new radio links;
- 1> for a radio bearer establishment procedure:
 - 2> transmit a RADIO BEARER SETUP message on the downlink DCCH using AM or UM RLC;
 - 2> if signalling radio bearer RB4 is setup with this procedure and signalling radio bearers RB1-RB3 were already established prior to the procedure:
 - 3> if the variable "LATEST_CONFIGURED_CN_DOMAIN" has been initialised:
 - 4> connect any radio bearers setup by the same message as signalling radio bearer RB4 to the CN domain indicated in the variable "LATEST_CONFIGURED_CN_DOMAIN".
- 1> for a radio bearer reconfiguration procedure:
 - 2> transmit a RADIO BEARER RECONFIGURATION message on the downlink DCCH using AM or UM RLC.
- 1> for a radio bearer release procedure:
 - 2> transmit a RADIO BEARER RELEASE message on the downlink DCCH using AM or UM RLC.
- 1> for a transport channel reconfiguration procedure:
 - 2> transmit a TRANSPORT CHANNEL RECONFIGURATION message on the downlink DCCH using AM or UM RLC.
- 1> for a physical channel reconfiguration procedure:
 - 2> transmit a PHYSICAL CHANNEL RECONFIGURATION message on the downlink DCCH using AM or UM RLC.
- 1> if the reconfiguration procedure is simultaneous with SRNS relocation procedure:
 - 2> if the transmitted message is a RADIO BEARER RECONFIGURATION:
 - 3> include the IE "New U-RNTI".
 - 2> else:
 - 3> include the IE "Downlink counter synchronisation info".
 - 2> if ciphering and/or integrity protection are activated:
 - 3> include new ciphering and/or integrity protection configuration information to be used after reconfiguration.
 - 2> use the downlink DCCH using AM RLC.
- 1> if transport channels are added, reconfigured or deleted in uplink and/or downlink:
 - 2> set TFCS according to the new transport channel(s).
- 1> if transport channels are added or deleted in uplink and/or downlink, and RB Mapping Info applicable to the new configuration has not been previously provided to the UE, the UTRAN should: